

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LARRY JONES, *et al.*,

Plaintiffs,

v.

Case No. 21-cv-10441  
Hon. Matthew F. Leitman

CITY OF DETROIT, *et al.*,

Defendants.

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**ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS’  
MOTION TO DISMISS AMENDED COMPLAINT INCLUDING MONELL  
CLAIM (ECF No. 49) AND ADJOURNING DATES IN PREVIOUS  
SCHEDULING ORDER (ECF No. 27)**

On May 5, 2023, the Court held a hearing over video conferencing to hear argument on Defendants’ Motion to Dismiss Amended Complaint Including Monell Claim (ECF No. 49). For the reasons explained on the record during that hearing, Defendants’ motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Defendants’ motion is **GRANTED** to the extent that it seeks dismissal of Plaintiffs’ claim under the Fifth Amendment of the United States Constitution.
2. Defendants’ motion is **DENIED** in all other respects.

As the Court set forth on the record, Defendants shall file an Answer to the Amended Complaint by no later than **May 12, 2023**. Defendants shall file a Motion for Summary Judgment on Plaintiffs’ claims under the Fourteenth Amendment and

*Monell v. Department of Social Services of City of New York* by no later than **May 19, 2023**. Plaintiffs shall file a Response by no later than **June 9, 2023**. Defendants shall file a Reply in further support of their motion by no later than **June 23, 2023**.

Moreover, as further explained on the record, the pretrial conference and trial dates set forth in the Court's last scheduling order (ECF No. 27) are **ADJOURNED**.

**IT IS SO ORDERED.**

s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: May 5, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 5, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan  
Case Manager  
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